

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

PHARMASTEM THERAPEUTICS, INC.,
a Delaware corporation,

Plaintiff,

CASE NO.:8:04-CV-1740-T-30TGW

v.

CRYO-CELL INTERNATIONAL, INC., a
Delaware corporation, BRUCE ZAFRAN, MD,
an individual,

Defendants.

_____ /

**MOTION FOR ADMISSION PRO HAC VICE
WITH SUPPORTING MEMORANDUM**

James J. Rodgers, Esquire, Pennsylvania Bar Number 21635, moves, pursuant to Local Rule 2.02 of the Rules of the United States District Court for the Middle District of Florida relating to special admission to practice, to permit him to appear and participate in this pending action on behalf of the Defendants, Cyro-Cell International, Inc., (“Cryo-Cell”) and Bruce Zafran, M.D., *pro hac vice*. As grounds for granting this motion, movant would show:

1. Attorney Rodgers is a member of the law firm of Dilworth Paxson, LLP, with offices located in Philadelphia, Pennsylvania.
2. Attorney Rodgers was admitted to the Pennsylvania Bar in 1975 and is an active member in good standing of the Pennsylvania Bar. Attorney Rodgers is also a member in good standing of the Bars of the United States District Courts for Eastern District of Pennsylvania and the Middle District of Pennsylvania, and Attorney Rodgers is admitted to practice before the

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United States Courts of Appeals for the Second Circuit, Third Circuit, Federal Circuit and the United States Supreme Court.

3. Charley Ketchey, Esquire, and Joseph Bain, Esquire, of the law firm of Akerman Senterfitt in Tampa, Florida, are admitted to practice before the United States District Court for the Middle District of Florida, and are members in good standing within this district.

4. Cryo-Cell International, Inc., and Bruce Zafran, M.D. have retained the law firm of Akerman Senterfitt to represent its interests in this action. Charley Ketchey and Joseph Bain will act as local counsel for Cryo-Cell and Zafran.

5. Attorney Rodgers has read the Local Rules of the United States District Court of the Middle District and Florida's Code of Professional Responsibility and will abide by them.

6. Attorney Rodgers has not been disciplined by any administrative body or court to which he is admitted to practice.

7. Attorney Rodgers has not made appearances in cases in the State of Florida since 1995.

8. Attorney Rodgers has attached as Exhibit A to this motion an executed and notarized verification in support of this motion.

9. In accordance with Local Rule 2.02, Attorney Rodgers has filed an appearance of non-resident attorney and designation of local counsel.

3.01(g) CERTIFICATION

10. Pursuant to Middle District of Florida Local Rule 3.01(g), counsel for Defendants spoke with Plaintiff's counsel's office via telephone regarding this motion, and Plaintiff's counsel has advised that he has no objection to the motion.

MEMORANDUM IN SUPPORT

Local Rule 2.02 of the Rules for the United States District Court for the Middle District of Florida provides that any non-resident attorney who is a member in good standing of the bar of any District Court of the United States, outside the State of Florida, may appear specially and be heard in any case in which he is counsel of record, provided that (a) such privilege is not abused by frequent or regular appearances in separate cases to such a degree as to constitute the maintenance of a regular practice of law in the State of Florida, and (b) the non-resident attorney files a written designation and consent-to-act on the part of some member of the bar of this Court. As set forth in detail in the motion above, Attorney Rodgers is a member in good standing of the Bar of the United States District Court for Eastern District of Pennsylvania and various other courts. Additionally, Attorney Rodgers has not appeared in a case in the State of Florida since 1995. Finally, Attorney Rodgers has filed with this Court an appearance of non-resident attorney and designation of local counsel.

WHEREFORE, the undersigned respectfully request permission to appear before this Court *pro hac vice*.

DATED: November 2, 2004.

/s/ James J. Rodgers
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Respectfully submitted,

AKERMAN SENTERFITT

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and

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Attorneys for Cryo-Cell International, Inc. and
Brian Zafran, M.D.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Admission Pro Hac Vice has been furnished to Charles A. Carlson, Esq., Barnett, Bolt, Kirkwood, Long & McBride, Post Office Box 3287, Tampa, Florida 33601 and Paul Andre, Esq., Perkins Coie LLP, 101 Jefferson Drive, Menlo Park, CA 94025, via regular U.S. Mail and electronic mail on this 2nd day of November, 2004.

/s/ Charles F. Ketchey, Jr.
Attorney